IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO.2059 OF 2005
IN
WRIT PETITION NO.3433 OF 2002

Mrs.Leena Ravindara Kakrambe)).. Applicant

Versus

Secretary, Deccan Education Society and others.))).. Respondents

Mr.Uday Warunjikar for the Applicant.

None present for the Respondents.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 19TH OCTOBER 2005

P.C. :

. This Civil Application has been filed for the following prayers :

(a) This Hon'ble Court be pleased to stay the selection process as per the advertisement dated 17.6.2005 and 20.6.2005 so far as the subject of Statistics is concerned in the Respondent College;

OR

(b) This Honourable Court be pleased to direct the Respondent to keep one post vacant in the subject of Statistics in the above referred Petition.

(c) Ad-interim and interim relief in terms of prayer clauses (a) and (b) be granted.

(d) Such other and further orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

2. The Writ Petition has been filed against the order of the College Tribunal directing reinstatement of the Applicant in this Civil Application. According to the Applicant, she is entitled to the post of Lecturer. She has been working in the post for over ten years. As against this, the Respondents i.e. the Petitioners in the Writ Petition, contends that this post is a post reserved for Scheduled Caste candidate. The Applicant belongs to the open category and, therefore, is not entitled to this post. This controversy has been decided by the Tribunal by holding that the post has been dereserved. However, since the Writ Petition from that order is pending, in my view, it would be appropriate not to grant the prayers in the Civil Application. However, any appointment made to the post of Lecturer will be subject to the result of this Writ Petition. The Respondent Society is directed to inform the incumbent candidate about this stipulation.

3. Civil Application disposed of accordingly.